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3 BILL NO. G-96-03-07

4

GENERAL ORDINANCE NO. G- 11-96

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AN ORDINANCE amending the Thoroughfare  
Plan of the City Comprehensive ("Master")  
Plan by vacating a dedicated utility easement thereof.

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WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

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WHEREAS, said Commission duly held a public hearing thereon; and

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WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

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WHEREAS, this body concurs in the recommendation of the City Planning Commission.

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NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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SECTION 1. That the petition filed herein to vacate a dedicated utility easement within the City of Fort Wayne, more specifically described as follows, to-wit:

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A part of Lots Numbered 90 and 89 in Crest Wood Colony, Section I, as recorded in Plat Record 25, pages 56-60, and re-recorded in Plat Record 25, page 174, in the Office of the Recorder of Allen County, Indiana, and described as follows:

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The Northeast 3 feet of Lot Number 90, excepting the Southeasterly 14 feet thereof, together with the Southwest 3 feet of Lot Number 89, excepting the Southeasterly 14 feet thereof.

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3 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master")  
4 Plan and is hereby approved in all respects.

5 SECTION 2. That this Ordinance shall be in full force and effect from and after  
6 its passage, any and all necessary approval by the Mayor.

7 Thomas. Heyler  
8 COUNCILMEMBER

9 APPROVED AS TO FORM AND LEGALITY:

10 J. Timothy McCaulay  
11 J. TIMOTHY ~~MCCAULAY~~, CITY ATTORNEY

12 \*\* Public hearing to be held on Tuesday,  
13 the 14th day of May, 1996,  
14 in the Council Chambers.

15 Sandra E. Kennedy  
16 Sandra E. Kennedy, City Clerk  
17  
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Read the first time in full and on motion by Sykes, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 19, the 19 day of May, o'clock M., E.S.T.

DATED: 3-12-96

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Romie, and duly adopted, placed on its passage. PASSED LOSED by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 5-14-96

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) General (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. G-11-96

on the 14<sup>th</sup> day of May, 1996

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Q. Schramm

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16<sup>th</sup> day of May, 1996, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20<sup>th</sup> day of May, 1996, at the hour of 8:00 o'clock A.M., E.S.T.

Paul Heimke  
PAUL HEIMKE, MAYOR

---

*From the desk of:*  
**Pat Biancaniello**

AGENT:

Jeffrey Klaehn  
121 E Berry St  
City 02

422-8500

**RECEIPT**

No 18476

COMMUNITY &amp; ECONOMIC DEVELOPMENT

FT. WAYNE, IN. 3/12 19 94

RECEIVED FROM Bobby Adams \$ 202.00  
THE SUM OF Two hundred & 00/ DOLLARS  
ON ACCOUNT OF \_\_\_\_\_PAID BY: CASH  CHECK  M.O. AUTHORIZED SIGNATURE Pat B



# Vacation Petition

Community & Economic Development / 1 Main Street Rm. 830  
Fort Wayne, IN 46802 / (219) 427-1140

X/W  
I/We do hereby petition to vacate the following:

Plat or portion of plat       Easement       Public Right-of-Way (street or alley)

More particularly described as follows:

A six foot street lighting easement centered upon the common line of

Lots 89 and 90 in Crest Wood Colony Section I, located at 926 Tulip Tree Road.

See EXHIBIT "A"

(Please attach a legal description of the property)

The reasons for the proposed vacation are as follows:

Easement is not being utilized by any utility as evidenced by the letters

from each of the utility companies listed on the enclosed vacation

routing form. Also enclosed is a copy of the survey and the warranty deed vesting

title to the subject property in the name of the petitioners. (cont'd)

(If additional space is needed please attach a separate page)

Property owner(s) name(s): Bobby D. Adams and Judith G. Adams

Street Address: 926 Tulip Tree Road

City: Fort Wayne State: IN Zip: 46825 Phone: 424-1266 (work)

(If additional space is needed please attach a separate page)

Applicants Name (if different from above):

Street Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

Bobby D. Adams

Signature

Bobby D. Adams

Printed Name

2-6-96

Date

926 Tulip Tree Road

Address

Fort Wayne, Indiana 46825

City/state/zip

Judith G. Adams

Signature

Judith G. Adams

Printed Name

2-6-96

Date

926 Tulip Tree Road

Address

Fort Wayne, Indiana 46825

City/state/zip

Agents Name (Please print legibly): Jeffrey R. Klaehn

Street Address: 121 E. Berry Street

City: Fort Wayne State: IN Zip: 46802 Phone: 422-8500

**NOTICE:**

- Legal description is to be of the area to be vacated and must be complete and correct. If necessary a licensed surveyor's legal description may be required.
- All adjacent property owner's signatures must accompany this application.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicants may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.
- Applicant is also hereby informed that the vacation of a subdivision plat does not necessarily vacate any dedicated right-of-way(s) or utility easement(s), nor any restrictive covenants that may apply.

**For Office Use Only:**

Receipt #:

Date Filed:

Map #:

Reference #:

cont'd from front page

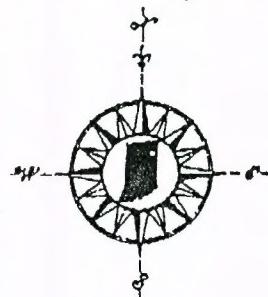
There are no adjacent property owners as the subject easement is wholly contained within the perimeter of the real estate owned by the petitioners.

The description of the subject easement is:

A part of Lots Numbered 90 and 89 in Crest Wood Colony Section I, as recorded in Plat Record 25, pages 56-60, and re-recorded in Plat Record 25, page 174, in the Office of the Recorder of Allen County, Indiana, and described as follows:

The Northeast 3 feet of Lot Number 90, excepting the Southeasterly 14 feet thereof; Together with the Southwest 3 feet of Lot Number 89, Excepting the Southeasterly 14 feet thereof.

EXHIBIT "A"



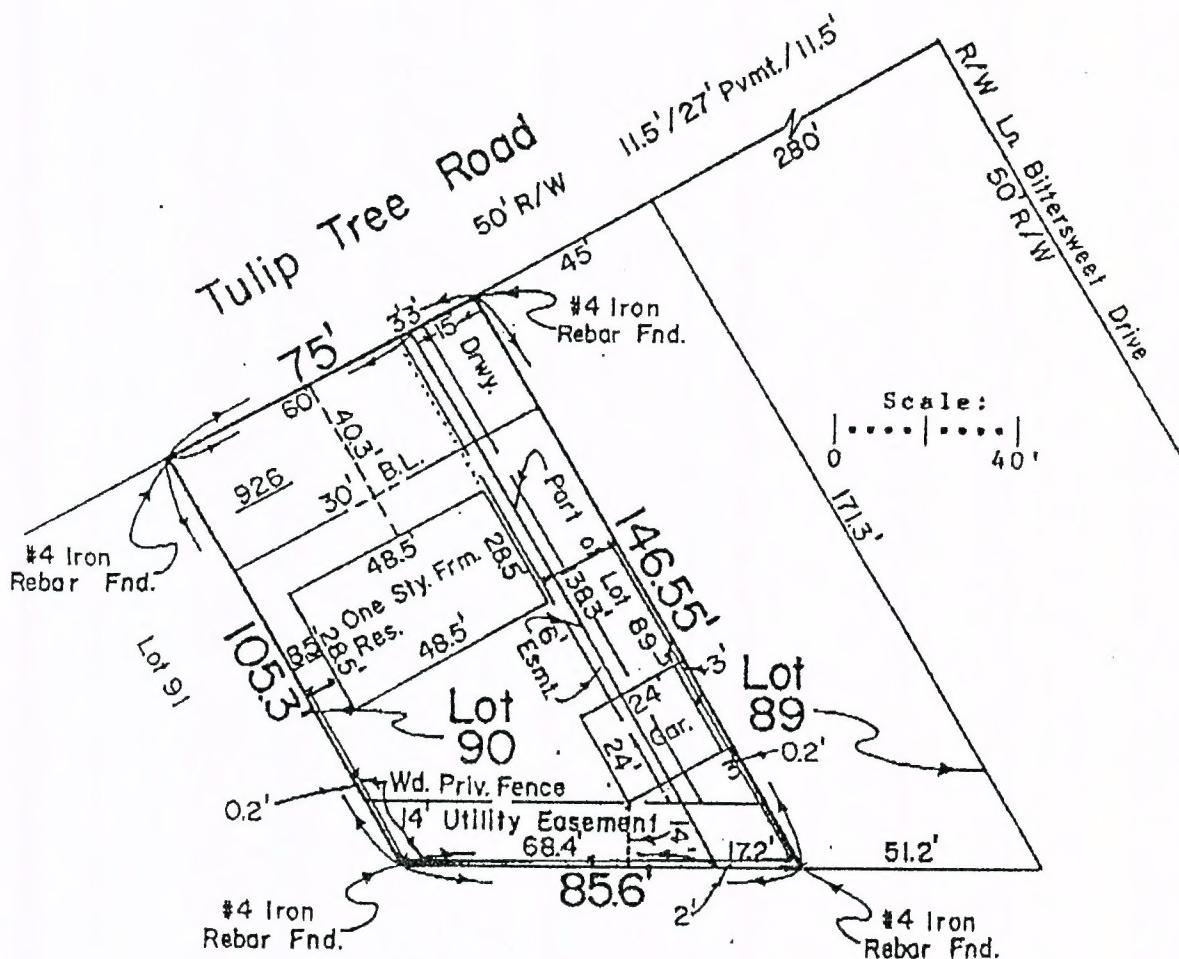
Gale L. Fansler, L.S.  
Registered Land Surveyor  
5410 Hartford Drive  
Fort Wayne, Indiana 46835  
219-484-2468

### SURVEYOR LOCATION REPORT

This report is designed for use by a title insurance company with residential loan policies. No corner markers were set and the location data herein is based on limited accuracy measurements. Therefore, no liability will be assumed for any use of this data for construction of new improvements or fences. No visible evidence of possession was found unless shown. All monuments are flush with the ground unless noted.

Property Address: 926 Tulip Tree Road

Property Description: Lot 90, together with the Southwesterly 15.0 feet thereof of Lot 89, all in Crest Wood Colony, Section I, as recorded in Plat Record 25, pages 56-60, and re-recorded in Plat Record 25, page 174. (Instrument V9699).



Title Co.: Dreibelbiss  
Client I.D. #: T95-4195

I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that, to the best of my knowledge and belief, this report conforms with the requirements contained in Sections 27 through 29 of Title 865 IAC 1-12 for a surveyor location report. The accuracy of any flood hazard statement shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced flood insurance rate map.

Map Number: 18003C0145 E, February 16, 1995  
Zone: "X"

Proposed Buyer: Adams  
Proposed Lender: Metro Financial

Date of Survey: October 30, 1995

Record: 1413SLR

Page 1 of 1



Gale L. Fansler, L.S. S-0532

**Mail tax bills to:**  
926 Tulip Tree Road  
Fort Wayne, Indiana 46825

**WARRANTY DEED**

95-53381

THIS INDENTURE WITNESSETH, That

**COPY**("Grantor") of Allen  
CONVEYS AND WARRANTS TO

KENNETH W. ZIMMERMAN, over the age of eighteen (18) years,

County in the State of Indiana

BOBBY D. ADAMS and JUDITH G. ADAMS, husband and wife

of Allen County in the State of Indiana

in consideration of One Dollar and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Allen County, in the State of Indiana:

Lot 90, together with the Southwesterly 15.0 feet thereof of Lot 89, all in Crestwood Colony, Section I, as recorded in Plat Record 25, pages 56-60 and re-recorded in Plat Record 25, page 174, in the Office of the Recorder of Allen County, Indiana.

Subject to the installment of taxes due in May, 1996, and subsequent taxes and assessments.

Subject to easements and restrictions of record and applicable zoning laws.

Dated this 13th day of November, 1995.

(Signature)

(Printed Name)

(Signature)

(Printed Name)

**STATE OF INDIANA**  
**COUNTY OF ALLEN** SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 13th day of November, 1995, personally appeared: KENNETH W. ZIMMERMAN, over the age of eighteen (18) years, and acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: 10/8/96

Signature

Stacy R. Sproat

Resident of DeKalb County Printed Stacy R. Sproat, Notary Public

DULY ENTERED FOR TAXATION

**STATE OF**  
**COUNTY OF** SS:

NOV 15 1995

Before me, the undersigned, a Notary Public in and for said County and State, this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_\_, personally appeared:

of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: \_\_\_\_\_ Signature \_\_\_\_\_

Resident of \_\_\_\_\_ County Printed \_\_\_\_\_, Notary Public

This instrument prepared by Thomas A. Swihart, 710 Lincoln Tower, Attorney at Law  
Attorney Identification No. 776-02 Fort Wayne, IN 46802

MAIL TO:

95 9916  
AUDITORS NUMBER

RESOLUTION 82-199-6

WHEREAS, BOBBY D. AND JUDITH G. ADAMS have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

A part of Lots Numbered 90 and 89 in Crest Wood Colony, Section I, as recorded in Plat Record 25, pages 56-60, and re-recorded in Plat Record 25, page 174, in the Office of the Recorder of Allen County, Indiana, and described as follows:

The Northeast 3 feet of Lot Number 90, excepting the Southeasterly 14 feet thereof, together with the Southwest 3 feet of Lot Number 89, excepting the Southeasterly 14 feet thereof.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, Linda Buskirk, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held March 27, 1996 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 27<sup>th</sup> DAY OF March 1996

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk  
Linda Buskirk  
Chairman, Board of Public Works

C. James Owen  
C. James Owen  
Member, Board of Public Works

Terrance P. McCaffrey  
Terrance P. McCaffrey  
Member, Board of Public Works

95 MAR 26 AM 11:46

## RESOLUTION

WHEREAS, BOBBY D. and JUDITH G. ADAMS have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

A part of Lots Numbered 90 and 89 in Crest Wood Colony, Section I, as recorded in Plat Record 25, pages 56-60, and re-recorded in Plat Record 25, page 174, in the Office of the Recorder of Allen County, Indiana, and described as follows:

The Northeast 3 feet of Lot Number 90, excepting the Southeasterly 14 feet thereof, together with the Southwest 3 feet of Lot Number 89, excepting the Southeasterly 14 feet thereof.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on March 18, 1996 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easement.

WHEREAS, said vacation of dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility easement in Allen County, Indiana.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, Carol Kettler Sharp, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held,

March 25, 1996 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 26th DAY OF March 1996

FORT WAYNE CITY PLAN COMMISSION

Carol Kettler Sharp

Carol Kettler Sharp  
Secretary

## FACT SHEET

G-96-03-07

BILL NUMBER

# Vision of Community

## Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Utility Easement Vacation Ordinance		

DETAILS	POSITIONS	RECOMMENDATIONS
<p>Specific Location and/or Address A six foot utility easement adjacent to Lots 89 &amp; 90 in Crestwood Colony Sec II, except the south and west 14 feet.</p> <p>Reason for Project</p> <p>Elimination of building encroachment.</p>	<p>Sponsor</p> <p>Area Affected</p> <p>Applicants/ Proponents</p> <p>Opponents</p> <p>Staff Recommendation</p> <p>Board or Commission Recommendation</p> <p>CITY COUNCIL ACTIONS (For Council use only)</p>	<p>City Plan Commission</p> <p>City Wide Other Areas</p> <p>Applicant(s) Bobby &amp; Judith Adams City Department Other</p> <p>Groups or Individuals Basis of Opposition</p> <p><input checked="" type="checkbox"/> For      <input type="checkbox"/> Against Reason Against</p> <p>By  <input checked="" type="checkbox"/> For      <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)</p> <p><input type="checkbox"/> Pass      <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended)      <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub.      <input type="checkbox"/> Do not pass</p>
<p>Discussion (Including relationship to other Council actions)</p> <p><u>18 March 1996 - Public Hearing</u></p> <p>Jeffrey Klaehn, VP of Dreibelbliss Title Company appeared before the Commission for the petitioners. Mr. Klaehn stated that the petitioners purchased this property last year and the garage on the property is situated on a dedicated utility easement. The petitioners now wish to vacate the easement, which will give them a clear title, and they will be able to obtain permanent coverage on the loan policy. He stated that the staff comments indicate that there are no objections to the vacation.</p> <p>There was no one else present who spoke in favor of or in opposition to the proposed vacation.</p> <p><u>25 March 1996 - Business Meeting</u></p> <p>Motion was made and seconded to return the ordinance to the Common Council with a Do Pass recommendation, contingent upon the petitioner providing utility easements or relocations as needed.</p>		

**DETAILS**

Of the seven (7) members present, six (6) voted in favor of the motion, the Chair did not vote.

Motion carried.

Members Present: Linda Buskirk, Ernest Evans, Dede Hall, Stanley Phillips, Richard Pierce, Dave Ross, Carol Kettler Sharp

Members Absent: James Hoch, Thomas Quirk

**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start Date 12 February 1996

Projected Completion or Occupancy Date 3 April 1996

Fact Sheet Prepared by Date 3 April 1996  
Patricia Biancaniello

Reviewed by Date 5 April 1996  
*[Signature]*

Reference or Case Number

**ORIGINAL**

**ORIGINAL**

#607

DIGEST SHEET

TITLE OF ORDINANCE Utility Easement Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE A six foot utility easement adjacent to Lots 89 & 90 in Crestwood Colony Section I, except the *easterly* southwesterly 14 feet.

*D-96-03-07*

EFFECT OF PASSAGE Property is currently a dedicated public utility easement. Property will be vacated and revert to the ownership of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain a dedicated public utility easement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE) \_\_\_\_\_

BILL NO. G-96-03-07

REPORT OF THE COMMITTEE ON  
REGULATIONS  
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating a dedicated  
utility easement thereof

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) ~~(RESOLUTION)~~

DO PASS

DO NOT PASS

ABSTAIN

NO REC

John D. Crawford

D. B. Johnson

Thomas E. Hayhurst

Martin G. Bond

Glenn L. Davis

Bill O'Leary

Clydes R. Edmunds

DATED: 5-14-96

Sandra E. Kennedy  
City Clerk



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

April 16, 1996

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of April 19, 1996 in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-96-03-07  
Dedicated Utility easement

Bill No. G-95-10-06  
Alley vacation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 2



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

April 16, 1996

Jeffrey Klaehn  
121 E. Berry Street  
Fort Wayne, IN 46802

### **NOTICE OF PUBLIC HEARING ON BILL NO. G-96-03-07**

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, May 14, 1996, at 5:30 P.M., E.S.T., in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana on the following:

a six foot utility easement adjacent to Lots 89 & 90 in Crestwood Colony Sec II, except the south and west 14 feet - elimination of building encroachment

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy  
City Clerk

FORT WAYNE COMMON COUNCIL

NOTICE OF A PUBLIC HEARING  
(BILL NO. G-96-03-07)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, MAY 14, 1996, AT 5:30 P.M., IN THE COMMON COUNCIL CHAMBERS, ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, CONCERNING THE FOLLOWING

A PART OF LOTS NUMBERED 90 AND 89 IN CRESTWOOD COLONY, SECTION 1, AS RECORDED IN PLAT RECORD 25, PAGES 56-60, AND RE-RECORDED IN PLAT RECORD 25, PAGE 174, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS:

THE NORTHEAST 3 FEET OF LOT NUMBER 90, EXCEPTING THE SOUTHEASTERLY 14 FEET THEREOF, TOGETHER WITH THE SOUTHWEST 3 FEET OF LOT NUMBER 89, EXCEPTING THE SOUTHEASTERLY 14 FEET THEREOF

THE PUBLIC IS INVITED TO APPEAR BEFORE COMMON COUNCIL AND EXPRESS THEIR VIEWS.

FORT WAYNE COMMON COUNCIL

SANDRA E. KENNEDY  
CITY CLERK

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY  
CITY CLERK

FW Common Council  
(Governmental Unit)

To: The Journal-Gazette Dr.  
P.O. Box 100  
Fort Wayne, IN

Allen County, Indiana

### PUBLISHER'S CLAIM

#### LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines \_\_\_\_\_

Body -- number of lines \_\_\_\_\_

Tail -- number of lines \_\_\_\_\_

Total number of lines in notice \_\_\_\_\_

#### COMPUTATION OF CHARGES

42 lines, 1 columns wide equals 42 equivalent lines  
at .346 cents per line

\$ 14.53

Additional charge for notices containing rule or tabular work  
(50 percent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) \_\_\_\_\_

1.00

#### TOTAL AMOUNT OF CLAIM

\$ 15.53

#### DATA FOR COMPUTING COST

Width of single column 12.5 ems  
Number of insertions 1  
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Deb Perfect

Date: April 19, 19 96

Title: \_\_\_\_\_

Clerk

### PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Deb Perfect who, being duly sworn, says that he/

she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

1 time \_\_\_\_\_, the dates of publication being as follows:  
4/19/96

Deb Perfect

Subscribed and sworn to before me this 19th day of April, 19 96.

Mary J. Schneider  
Notary Public

My commission expires: NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997

SANDRA E. KENNEDY  
CITY CLERK  
#167225

FW Common Council  
(Governmental Unit)To: The News-Sentinel  
P.O. Box 100  
Fort Wayne, IN

Allen County, Indiana

Dr.

**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
 -- number of equivalent lines \_\_\_\_\_

Head -- number of lines \_\_\_\_\_

Body -- number of lines \_\_\_\_\_

Tail -- number of lines \_\_\_\_\_

Total number of lines in notice \_\_\_\_\_

**COMPUTATION OF CHARGES**

42 lines, 1 columns wide equals 42 equivalent lines  
 at .346 cents per line \$ 14.53

Additional charge for notices containing rule or tabular work  
 (50 percent of above amount) 1.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) \_\_\_\_\_

**TOTAL AMOUNT OF CLAIM** \$ 15.53

**DATA FOR COMPUTING COST**

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: April 19, 1996

Title: \_\_\_\_\_ Clerk

**PUBLISHER'S AFFIDAVIT**

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Deb Perfect who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time \_\_\_\_\_, the dates of publication being as follows:

4/19/96

Subscribed and sworn to before me this 19th day of April, 1996.

Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997

My commission expires:

SANDRA E. KENNEDY  
CITY CLERK  
#167225